

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WALTER REAMEY, JR.,

Defendant.

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Case No. 3:00cr070

JUDGE WALTER HERBERT RICE

DECISION AND ENTRY TREATING DEFENDANT'S TIMELY FILED
OBJECTIONS (DOC. #159) TO REPORT AND RECOMMENDATIONS
OF UNITED STATES MAGISTRATE JUDGE (DOC. #155) AS MOTION
TO ALTER OR AMEND JUDGMENT, PURSUANT TO FED. R. CIV. P.
59(e); SAID OBJECTIONS, SO CONSTRUED, OVERRULED; DECISION
AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE JUDGE (DOC. #155) ON
POST-JUDGMENT OBJECTIONS (DOC. #159) CONSTRUED AS A
MOTION TO ALTER OR AMEND JUDGMENT OF JUNE 30, 2008
(DOC. #158); DECISION AND ENTRY ADOPTING REPORT AND
RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
(DOC. #160) AND OVERRULING DEFENDANT'S OBJECTIONS
THERE TO (DOCS. #161 AND #162, THE LATTER BEING
DUPLICATIVE OF THE FORMER); JUDGMENT TO ENTER IN FAVOR
OF PLAINTIFF AND AGAINST DEFENDANT, DENYING PETITIONER'S
MOTION TO VACATE, ETC., UNDER 28 U.S.C. § 2255; CERTIFICATE
OF APPEALABILITY AND ANTICIPATED REQUEST FOR LEAVE TO
APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY

On June 30, 2008, this Court having received no Objections from
Defendant, as to the Report and Recommendations of the United States Magistrate

Judge (Doc. #155), recommending that the Defendant's Motion to Vacate, Etc., filed pursuant to 28 U.S.C. § 2255, be dismissed with prejudice, adopted said Report and Recommendations (Doc. #157), and caused judgment to be entered thereon that same day (Doc. #158). One day later, on July 1, 2008, the Defendant's Objections to said Report and Recommendations (Doc. #155) were received in the Clerk of Courts Office (Doc. #159). Accordingly, this Court has treated said Objections as a timely filed Motion to Alter or Amend a Judgment, filed pursuant to Fed. R. Civ. P. 59(e). Pursuant to the reasoning and citations of authority set forth by the United States Magistrate Judge, in his two Report and Recommendations (Docs. #155 and #160), as well as upon a thorough consideration of this Court's file and the applicable law, said Report and Recommendations are adopted in their entirety. The Defendant's Objections to said judicial filings (Docs. #159, #161 and #162, the last being duplicative of Doc. #161) are overruled in their entirety. Judgment is to be entered in favor of the Government and against the Defendant, dismissing the Defendant's Motion to Vacate, Etc., filed pursuant to 28 U.S.C. § 2255, with prejudice. Given that reasonable jurists would not disagree with this conclusion, Defendant is denied both a Certificate of Appealability and an anticipated request to appeal *in forma pauperis*.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

/s/ Walter Herbert Rice

September 30, 2008

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Walter Reamey, Jr., Pro Se